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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: <u>DBr</u>	DEPUTY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No. 2:15-cr-00133-LRH-PAL

Plaintiff, ORDER

v.

JOSUHA STEPHEN DOTY,

Defendant.

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Peggy A. Leen (ECF No. 33) entered on March 1, 2016, recommending denying defendant's Motion to Dismiss Indictment and to Dismiss Count Two of the Indictment as Multiplicitous (ECF No. 18) entered on September 16 2015. On May 2, 2016, defendant filed his Objections to Report of Findings and Recommendation (ECF No. 37) and on August 12, 2016, plaintiff filed the Government's Response to Defendant's Objections to Report and Recommendation (ECF No. 46).

The action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 1B 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered defendant's objections, the response of the plaintiff, and the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and

1 Recommendation (ECF No. 33) entered on March 1, 2016, should be adopted and
2 accepted.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and
4 Recommendation (ECF No. 33) entered on March 1, 2016, is adopted and accepted,
5 and defendant's Motion to Dismiss Indictment and to Dismiss Count Two of the
6 Indictment as Multiplicitous (ECF No. 18) is DENIED.

7 IT IS SO ORDERED.

8 DATED this 8th day of September, 2016.

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11 LARRY R. HICKS
12 UNITED STATES DISTRICT JUDGE
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